



FULL BOARD MEETING

Crosby Township Senior Center

Wednesday, January 22, 2003

FINAL MINUTES

The Fernald Citizens Advisory board met from 6:00 p.m. to 9:40 p.m. on Wednesday, January 22, 2003, at the Crosby Township Senior Center.

Members Present:

French Bell
Jim Bierer
Sandy Butterfield
Marvin Clawson
Lisa Crawford
Steve DePoe
Lou Doll
Pam Dunn
Jane Harper
Gene Jablonowski
Steve McCracken
Graham Mitchell
Robert Tabor
Tom Wagner
Gene Willeke

Members Absent:

Kathryn Brown
Lisa Blair
Blain Burton

Designated Federal Official:

Steve McCracken

The Perspectives Group Staff:

Douglas Sarno
David Bidwell

Fluor Fernald Staff:

Sue Walpole

Approximately 10 spectators also attended the meeting, including members of the public and representatives from the Department of Energy and Fluor Fernald.

GENERAL ANNOUNCEMENTS

Jim Bierer called the meeting to order at 8:30 a.m. The Board approved the minutes from the November, 2002, meeting.

Jim announced that he received a copy of the 2002 DOE report on workforce health and safety. Anyone interested in reviewing or obtaining a copy of the report should contact either Jim or Sue Walpole.

Jim noted that at past meetings the Board had discussed adding a representative from Fluor Fernald as an *ex-officio* member of the FCAB. The group briefly discussed the pros and cons of adding the contractor to the Board, but decided to table this decision until ongoing contract negotiations between Fluor and DOE are resolved.

Jim announced that the Science and Technology Coordination Group (STCG) was disbanded by DOE, which surprised some STCG members. He was unable to reach Paul Petit for further clarification prior to the FCAB meeting, but he will report to the Board after he speaks with Paul. Doug Sarno explained that the role of the STCG and its funding had been reduced in recent years, but the FCAB should identify whether the dissolution of the group will result in any unresolved issues or unfulfilled roles at the site. Steve McCracken suggested that the FCAB invite Mike Owens to attend an FCAB meeting, in order to explain how science and technology will be addressed within the new DOE Office of Legacy Management. Steve also explained that EM-50 has provided funds for "technical assistance" for the Silos Projects, through which experts have been assembled to study specific technical issues.

SITE PROJECT UPDATES

Ray Carradi provided an update on activities for the Silos Projects. A successful "hot test" of the Radon Control System for Silos 1 and 2 was conducted in December. The performance of the system exceeded expectations for the amount of radon gas absorbed. Lessons learned from this test will be addressed prior to another hot test. The system will be used in late Spring or Summer 2003 to reduce radon levels during construction activities above the silos' domes. The steel deck that will support pumping equipment is being constructed above the holding tanks for the Advanced Waste Retrieval project. Sluicing to remove materials from Silos 1 and 2 should begin in Summer 2004 and will take approximately one year to complete. A technical workshop was held in Oak Ridge during the previous week to discuss concepts for removing "heels"—waste remaining in the bottom of the silos after sluicing is completed. Technical support from EM-50 helped project staff determine optimal operating procedures for handling the slurry. Ray noted that a lot of construction activity is occurring in the footprint of the treatment facility, and that the project team is working to get ahead of schedule. In answer to a Board member's question, Ray explained that disposal at the Nevada Test Site or Envirocare (if the waste is classified as 11(e)(2)) would not require TCLP verification. Doug explained that the February Progress Briefing would focus on treatment of wastes from Silos 1 and 2. Doug asked for the feedback on the December roundtable that focused on the Advanced Waste Retrieval (AWR) system. Board members indicated that the information was good and that the roundtable format promoted beneficial interaction between the public and site personnel.

Ray also reported on recent activities related to Silo 3. He explained that the project was able to conduct some site preparation work before the weather turned cold. The designs have been completed, and procurement packages are ready for release. The contract for the mechanical waste retrieval package was recently awarded. Board

members requested that the final design for Silo 3 waste removal be distributed to the FCAB. They also requested that reports of the Critical Analysis Team (CAT) be distributed, so they can be sure that CAT concerns have been met in the final designs. Steve McCracken noted that CAT members would be invited to attend future workshops with EM-50 experts.

Terry Hagen provided an update on general management issues at the site. He explained that the site's safety performance declined in 2002. External teams recently conducted reviews of the site's safety programs. Their recommendations are being implemented, and there a positive trend has been seen over the past three months. Terry also explained that only one workforce restructuring, which will result in a reduction of thirty salaried positions, is anticipated this fiscal year. He noted that as projects at the site are completed, the workforce would be further reduced. Bob Nichols noted that the number of crafts workers for site projects would peak in 2003, at around six hundred and fifty workers. Terry also explained that the U.S. government continues to operate under a continuing budget resolution. Under the continuing resolution, the site receives funding based on the previous year's budget levels. This has resulted in some schedule changes, but has not had a significant impact on projects. Some obstacles will arise if the continuing resolution is in place through February.

Terry explained that the Waste Management Project is slightly ahead of schedule and has completed all but ten percent of its goal. Waste Pits excavation is also ahead of schedule and is trying to accelerate as much as possible.

Bob Nichols explained that the Services and Administration Building would be shut down this year, so demolition can begin in 2004. He acknowledged that this building has been a community hub for the workers at the site. Plans are being developed for how workers will store personal items, etc. The boiler plant is also being decommissioned.

Bob announced that Cell 2 of the On-Site Disposal Facility (OSDF) is one hundred percent filled and Cell 3 is fifty percent full. Cells 4 and 5 were constructed and waste placement was begun in each cell during 2002. The liner for Cell 6 will be placed in 2003. Soil placement was slightly behind schedule in 2002, but goals for FY 2003 are greater than needed to meet the project baseline. Rates of soil placement will double in FY 2004 and 2005.

Bob announced that the Decontamination and Demolition (D&D) project is ahead of schedule on some buildings and a little behind schedule on others. Many D&D activities have been accelerated to facilitate the removal of soils beneath them. He announced that a contract for D&D of the lab complex was recently awarded. He also announced that the blue and white water tower would come down in 2003. Steve McCracken noted that bringing down the water tower would create a cloud of rust, which will be visible off site. The rust cloud will not contain contaminants.

Bill Hurtel explained recent challenges that the Aquifer Project has faced in meeting its monthly uranium discharge limit of 30 parts per billion. The Phase 2 system at the Advanced Waste Water Treatment plant, which treats water from the Waste Pits project, has not been capturing uranium. Even after the resin in the ion exchange system was replaced, uranium was running straight through the system after a day or two of use. The Phase 2 system has been shut down and the wastewater directed to that system is being tested for chemicals that could be affecting the resin. It is possible that ammonia coming from newly excavated Pit 5 is interfering with the ion exchange process. Because the Phase 2 system is shut down, the site should be able to meet its 30ppb

limit for January. More information will be provided to the FCAB as soon as it is available.

Doug briefly explained a graphically modified aerial photograph, which shows how the site will look in 2003. He also reminded the Board that a special tour of the site is scheduled for them on April 12.

STATUS OF FLUOR CONTRACT

Steve McCracken explained that the contract awarded to Fluor by DOE in November 2000 included two fee incentives. Eighty percent of the contract was related to meeting cost, while twenty percent was related to meeting schedule. Based on the goals outlined in the Top-to-Bottom Review, DOE Headquarters is currently renegotiating its contract with Fluor to place more emphasis on meeting schedule.

The primary concerns expressed by the Board were that placing greater emphasis on meeting an arbitrary schedule would diminish Fluor's attention to worker safety and jeopardize the quality of ongoing remediation work. Members stated that since Fluor has been safely completing work ahead of schedule and under budget, the FCAB should not support a change to the existing contract. Members also stated concerns that contract negotiations and other administrative burdens created by DOE Headquarters are detracting time and attention from remediation activities.

Bob Tabor expressed concern that the number of safety professionals employed at the site has decreased, while the level of remediation activity has increased. Steve agreed that this was an important issue.

CLOSURE MISSION FOR THE FCAB

The Board reviewed and approved a revised Closure Mission for the FCAB. The mission lists activities that should be completed for the FCAB to have met its charter and disband.

RISK-BASED END STATE POLICY

Doug reviewed a summary of the draft Risk-Based End States policy produced by DOE Headquarters. He explained that this policy should not impact Fernald, because cleanup at the site is already focused on meeting end state risk levels. Johnny Reising stated that the site had already submitted a completed questionnaire to Headquarters regarding this policy and would complete the other required paperwork. Lisa Crawford requested that a list of documents sent to Headquarters be distributed to the FCAB.

Pam Dunn asked if this policy could change cleanup levels for the Fernald site. Steve McCracken stated that there has been no suggestion to change cleanup levels at Fernald, and added that a change in cleanup levels would require that Records of Decision for the site be changed. This unlikely scenario would result in a lengthy process and would include public involvement activities.

FERNALD STEWARDSHIP ISSUES

Pam Dunn reviewed the conversations that took place at the January 21 Stewardship Committee meeting. Pam reported that committee members were unhappy with DOE Headquarters' recent approach to long-term stewardship, as represented by the Fernald

site's draft Comprehensive Stewardship Plan. She stated that the community believed it had dealt in good faith with DOE, but the agency was not living up to its end of the relationship. Pam further stated that she believes DOE should not tie long-term stewardship activities to the Natural Resources Injury settlement with the State of Ohio.

The FCAB discussed these issues at length, but did not reach resolution regarding its next steps regarding stewardship issues. Major discussion points are listed below:

- The Board should express to DOE Headquarters that it is not pleased with the current approach to stewardship.
- Settlement of the Natural Resources Injury lawsuit should move forward with FCAB input, but it should not be tied directly to stewardship activities.
- Maintenance of trails, other public use features, and the ecological restoration projects may be beyond the mission of the DOE Office of Environmental Management, and as such, may be impossible to fund through that office.
- DOE must comply with laws that protect natural resources, such as the Endangered Species Act and Clean Water Act.
- The Comprehensive Stewardship Plan is not a legally enforceable document. DOE's stewardship commitments should be detailed in a legally binding document.
- The Natural Resources Injury settlement may be a mechanism through which care for public use features and ecological restoration projects can be legally ensured.
- Per the ROD for Operable Unit 5, DOE must develop and submit to EPA legally binding plans for long-term surveillance and monitoring and for institutional controls.
- The current draft of the Comprehensive Stewardship Plan outlines DOE's obligations to conduct long-term surveillance and monitoring of the remedy.
- Plans for stewardship at Fernald should include the values of Community-Based Stewardship, as outlined in the feasibility study report completed in 2002.
- The image of the site will have a significant impact on future economic development in the area.

Eric Woods stated that the Comprehensive Stewardship Plan would be revised, based on comments from Ohio EPA and the FCAB, before it is submitted to DOE Headquarters on January 28. The revised version will be more explicit regarding the role of the Grand Junction Office in maintaining records needed to conduct stewardship and that copies of key records will be maintained at or near the site. The revision will also include more information on DOE obligations to monitor groundwater. He stated that the plan would change over time, as more details become available. Lisa Crawford stated that the Comprehensive Stewardship Plan should be clearly labeled as a living document, which is subject to change.

The group briefly discussed DOE's current approach to the reinternment of Native American remains at the site. Steve McCracken stated that DOE remains committed to providing land for the burial of Native American remains, but the mission of the DOE Office of Environmental Management would not allow it to assume authority over how those burials are conducted or how the burial site is maintained. Joe Shomaker indicated that DOE is considering leasing those areas to another entity, such as the Department of Interior or a nonprofit organization.

Tom Wagner suggested that there are three main categories of stewardship at Fernald:

1. Ecological restoration
2. Monitoring and maintenance of the remedy
3. Public access to information and public use of the site

Doug stated that the FCAB should determine what each of these categories entails, what are FCAB expectations for each category, and what role should the FCAB play in planning for each category of stewardship. Pam added that the FCAB should track who will be responsible for each category.

The meeting adjourned at 9:40 p.m.

I certify that these minutes are an accurate account of the January 22, 2003 meeting of the Fernald Citizens Advisory Board.

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| James Bierer | Date |
| Fernald Citizens Advisory Board Chairman | |

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| Gary Stegner | Date |
| Deputy Designated Federal Official | |